IN RE:

PETITION FOR RESIDENTIAL

ZONING VARIANCE

W/S Middletown Road, 254 ft. N

of c/l of Parsonage Road 19300 Middletown Road

6th Election District
3rd Councilmanic District

David B. Paul, et ux

Petitioners

BEFORE THE

ZONING COMMISSIONER

* OF BALTIMORE COUNTY

Case No. 97-3-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by David B. Paul and Susan Paul, for that property known as 19300 Middletown Road in the Parkton section of northern Baltimore County. The Petitioners/property owners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure (swimming pool) in the 1/3 yard area closest to the side street, in lieu of the required farthest from the side street. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Date of South

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LES:mmn

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

July 31, 1996

Mr. and Mrs. David B. Paul 19300 Middletown Road Parkton, Maryland 21120

RE: Petition for Administrative Variance

Case No. 97-3-A

Property: 19300 Middletown Road

Dear Mr. and Mrs. Paul:

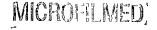
Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

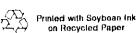
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.







Petition for Administrative Variance

to the Zoning Comm	issioner of Baltimore County
for the property located at	19300 MODIE COURTO.
97-3-A	which is presently zoned 7205

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400.1 TO ALLOW A SWIMMING POOL IN THE 1/3
YARD AREA CLOSEST TO THE SIDE STREET IN LIEU
OF THE REQUIRED FURTHEST FROM THE SIDE STREET.

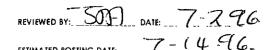
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

MEETING THE ZONING REGULATIONS WILL VIOLATE
THE ENVIRONMENTAL PROTECTION REQUIREMENTS, (SEE OTHER)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition
Contract Purchaser/Lessee			Legal Owners DAVID & SUSAN PACK
(Type or Print Name)			(Type or Print Name)
Signature		·····	DAVID B. PAUL + Susan W. Paul
Address			(Type or Print Name) Dupan H- Paul
City	State	Zipcode	Signature
Attorney for Petitioner			19300 MIDDLETOWS RD (410) 357-445
(Type or Print Name)			Address Phone No Q/120
Signature			City State Zipcode Name, Address and phone number of representative to be contacted
			AL ERDI, P.E. 410-
Address	Phone	e No	P.O. Box: 10055 5925153
City	State	Zipcode	TOWSON, MD.21285-0055





Printed with Soybean Ink on Recycled Paper

ITEM #: _____

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty) that Affant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and hay be required to provide additional information. (type or print name) STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: 19 96, before me, a Notary Public of the State I HEREBY CERTIFY, this of Maryland, in and for the County aforesaid, personally the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiants(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notarial Seal. My Comprission Expires:

97-3-A

Zoning description for 19300 Middletown Rd., Parkton, Maryland 21120.

Beginning at a point on the west side of Middletown Rd., which is a 40 -ft. wide R/W at a distance of 254 feet north of the centerline of the nearest intersecting street Parsonage Road, which is 30 - ft. wide, southwesterly S 84 27 00 W 408.04 feet to a point. then southwesterly S 03 32 00 W 201.58 feet to a point on the north side of Parsonage Road, then easterly along a curve of R= 130 feet 90.11 feet to a pont on the north side of said Parsonage Road, then easterly s 88 55 00 E 336.27 feet to a point 49 feet from the centerline of Middletown Road, then N 42 46 00 E 26.00 feet to a point on the west side of Middle town Road, then northerly n 5 33 00 W 200.00 feet to the place of beginning. Being Lot 18, in the Subdivision of EDENDERRY as recorded in Baltimore County Plat Book: EHK Jr. 37 Folio: 75 containing 2.0 ± acres, also known as 19300 Middletown Road, Parkton, Md. 21120. E.D.: 6 Councilmanic D. 3

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 9-4

Remarks: Moddedy Posted by	Location of Signa Courage	Petitioner: Revise to Susem Paul Location of property: 19300 Middle Town-Rd.	District lett Variance
Date of return: 7/19/5/6. MICROFILMED	Location of Stone Feering The SMOH On Property Gerry Zorse	Potitioner: Paris & Susan Poul Location of property: 19300 Middle Town Rd.	Date of Posting 7/14/86

BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN E-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE

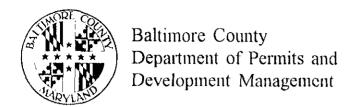
TO COUNTY

ACCOUNTY

A

PHONE NUMBER: (410) 357 4457

	prepared by: Scale of Drawing: 1'=
Zoning Office USE ONLY! reviewed by:	North
SEWER: Private SEWER:	
T'=200' scale map#: Zoning: Lot size:	
LOCATION INFORMATION Election District: Councilmanic District:	
∰ Vicinity Map North Scale: 1°=1000°	
	plat book#,folio#,section# OWNER:
riance Special Hearing	accompany Petition for Zoning Va



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Ttem No.: 5 Petitioner: DAVID AND SUSAN PAUL
Location: 19300 MIDDIETOWN RD., PARKTON, MD. 21120
PLEASE FORWARD ADVERTISING BILL TO:
NAME: DAVID AND SUSAN PAUL
ADDRESS: 19300 MIDDIETOWN PO. PARKTON, MD. 21120.
PHONE NUMBER: (410) 357 4457



Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

July 11, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re:

CASE NUMBER: 97-3-A (Item 5)
19300 Middletown Road
W/S Middletown Road, 254' N of c/l Parsonage Road
6th Election District - 3rd Councilmanic
Legal Owner(s): David B. Paul and Susan Paul

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before July 14, 1996. The closing date (July 29, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon Director

cc: David and Susan Paul Al Erdi, P.E.

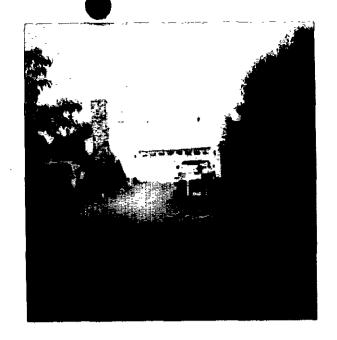
MICROFILMED



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FRONT

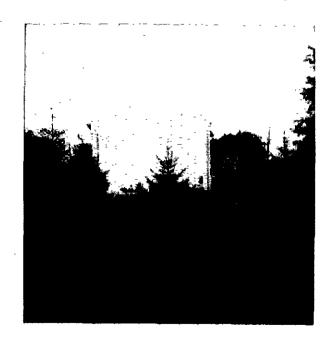


LEFT SIDE

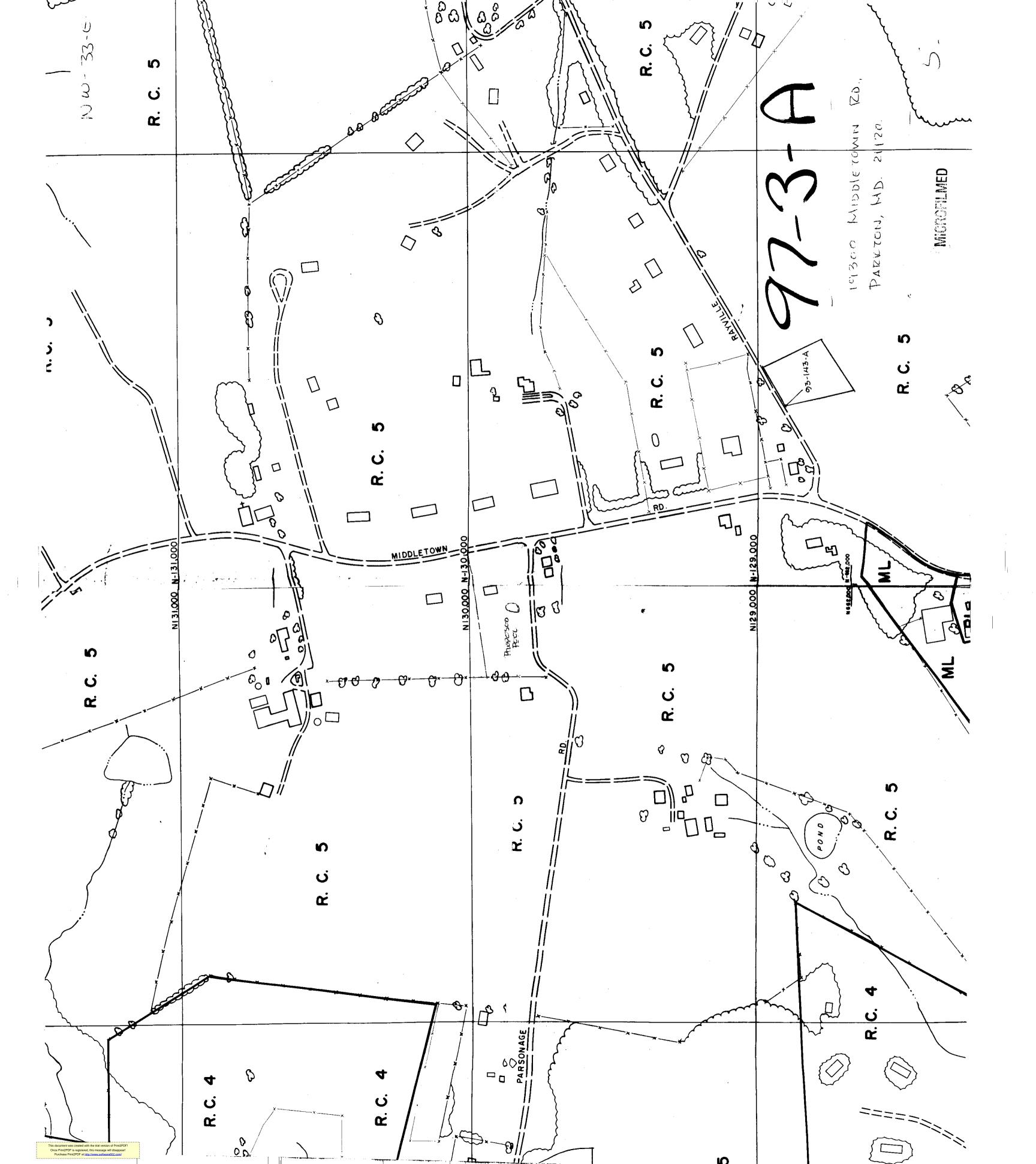


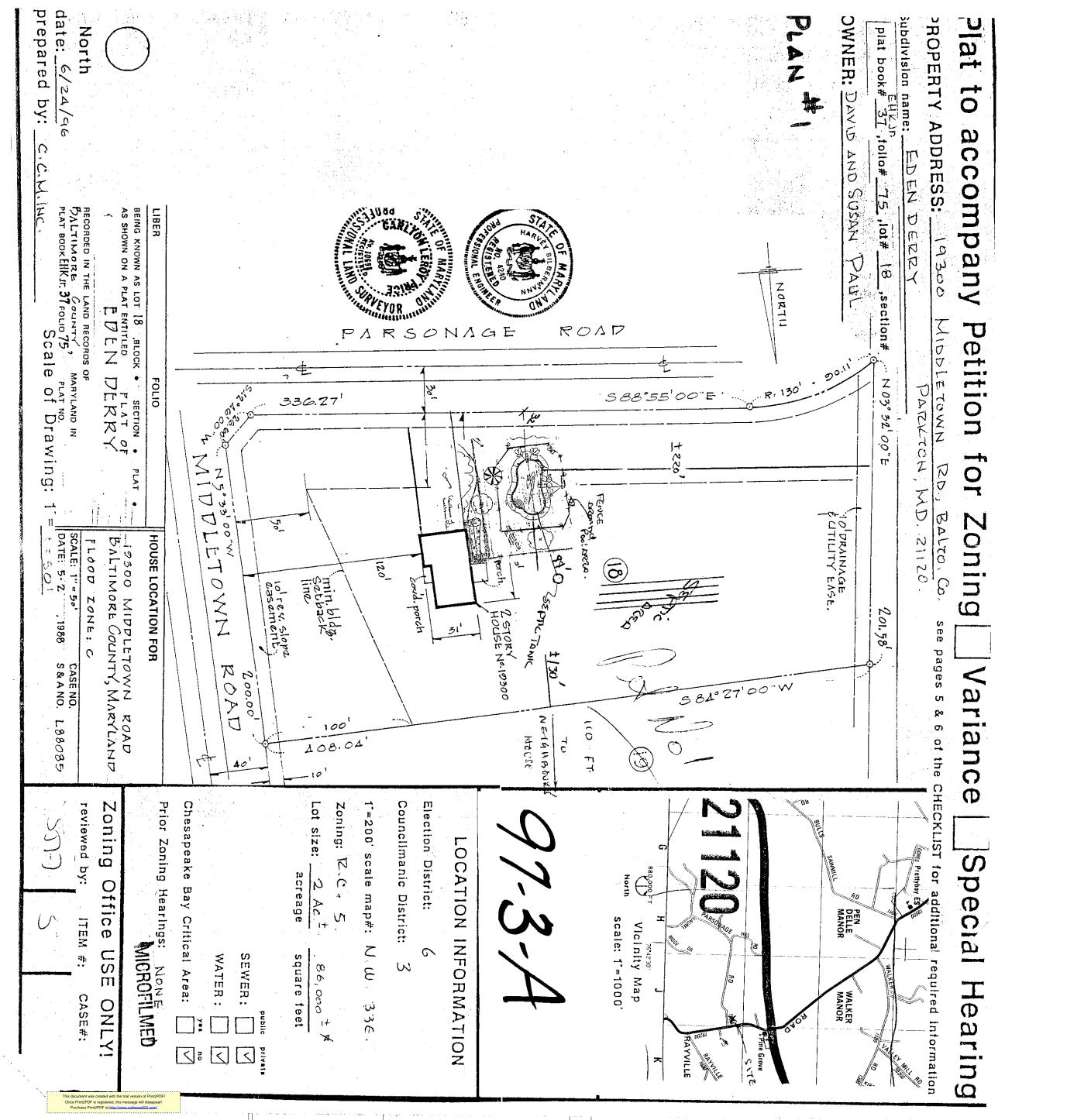


REAR

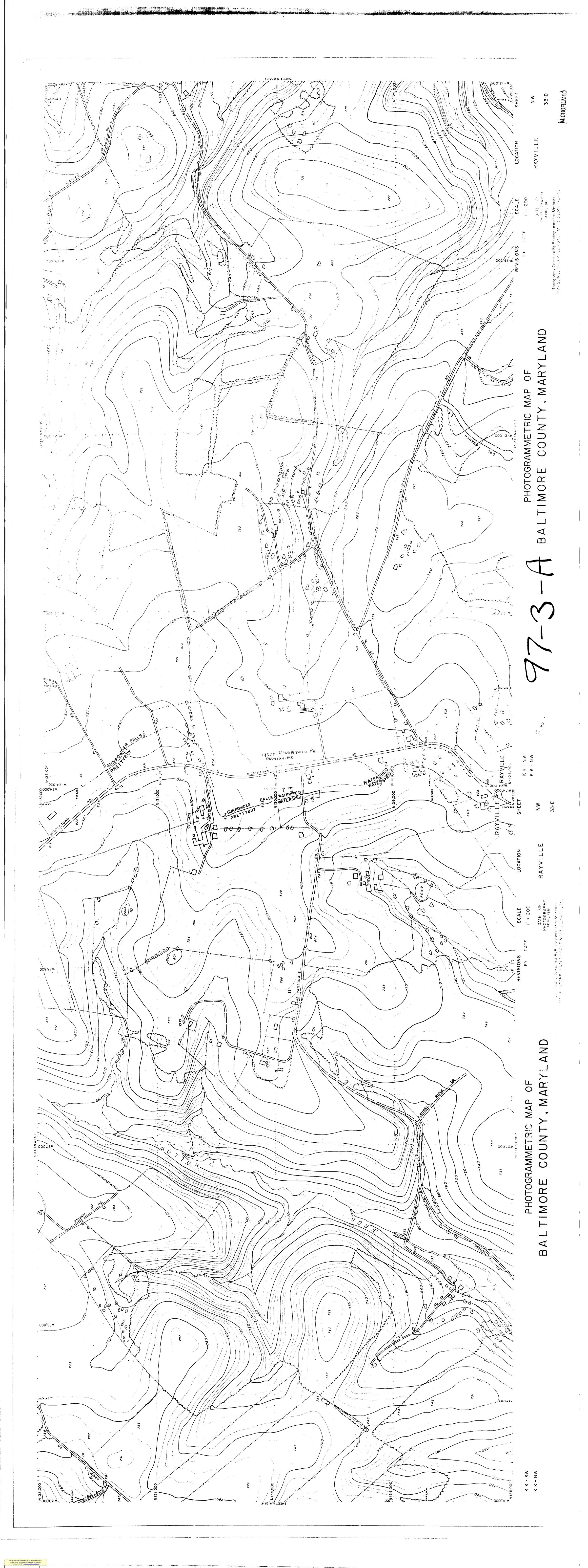


RIGHT SIDE









IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE * ZONING COMMISSIONER W/S Middletown Road, 254 ft of c/l of Parsonage Road * OF BALTIMORE COUNTY 19300 Middletown Road 6th Election District * Case No. 97-3-A 3rd Councilmanic District David B. Paul, et ux Petitioners * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by David B. Paul and Susan Paul, for that property known as 19300 Middletown Road in the Parkton section of northern Baltimore County. The Petitioners/property owners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure (swimming pool) in the 1/3 yard area closest to the side street, in lieu of the required farthest from the side street. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this / day of August, 1996 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure (swimming pool) in the 1/3 yard area closest to the side street, in lieu of the required farthest from the side street, be and is hereby GRANTED, subject, however, to the following restriction:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original

> > Zoning Commissioner for Baltimore County

Baltimore County Government Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

July 31, 1996

Mr. and Mrs. David B. Paul 19300 Middletown Road Parkton, Maryland 21120

> RE: Petition for Administrative Variance Case No. 97-3-A Property: 19300 Middletown Road

Dear Mr. and Mrs. Paul:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Zoning Commissioner

I/We do sciemply declare and affirm, under the benalties of perjury, that I/we are the Contract Purchaser/Lessee DAVID B. PAUL + SUSAN W. Paul Attomey for Petitioner 19300 M/18DLETOWS (B) (410) 357-4457 Type or Pant Name: (KRKTOS City State
Name, Address and phone number of representative to be contacted AL ERDI, P.E. 5925153 P.O.BOX: 10055 TOWSON, MD. 21285-0055 circulation, throughout Baltimore County, and that the property be reposted REVIEWED BY: 50F) DATE 7-296

Petition for Administrative Variance

) to the Zoning Commissioner of Baltimore County

which is presently zoned RCS

for the property located at 19300 MODIE TOWN RD.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached

400.1 TO ALLOW A SWIMMING POOL IN THE 13

YARD AREA CLUSEST TO THE SIDE STREET IN LIEU

MEETING THE ZONING REGULATIONS WILL VIOLATE

THE ENVIRONMENTAL PROTECTION REQUIREMENTS. (SEE OTHER)

OF THE REQUIRED FURTHEST FROM THE SIDE STREET.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to

be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

This Petition shall be filed with the Office of Zoning Administration & Development Management.

Property is to be posted and advertised as prescribed by Zoning Regulations.

hereto and made a part hereof, hereby petition for a Variance from Section(s)

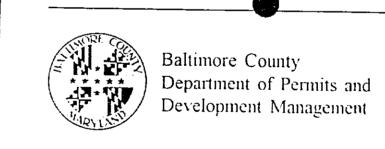
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CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 67-3-4

Posted for: Varience	
/\	
Petitioner: Doub + Susan Paul	
Location of property: 19304 Middle Town Rd.	
Tocamon or headerstanding	
	+ being Zone &
Location of Signer Feerby Tes duloy En Pou	openy only of
Remarks:	
-7	7/10/01
Posted by	Date of return: 7/19/94.

BALTIMORE COUNTY, OFFICE OF FINE - RE MISCELLANEOUS CAS	YENUE DIVISION	© 22882 -3-A
DATE 7.2.9	C_ ACCOUNT D.C.C	1.615C
RECEIVED 1971	AMOUNT \$ STENTED PLANTS FOR	PAULDS SUSAN
CSOA	DMILLIES. UADLINES	50 35
R1 +	83A91#0056MICHRC 8A C011:30AM07-02-9	\$85.00 6
TYSTORY (TICH	ALIDATION OR SIGNATURE OF CASHIE ON-CUSTOMER	*#5 JRA.



Development Processing County Office Building III West Chesapeake Avenue Towson, Maryland 21204

ITEM: #: ____

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

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PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 5 Petitioner: DAVID AND SUSAN PAUL LOCATION: 19300 MIDDIETOWN RD., PARKTON, MD. 21120

PLEASE FORWARD ADVERTISING BILL TO: NAME: DAVID AND SUSAN PAUL

ADDRESS: 19300 MIDDLE TOWN PO. PARKTON, MD. 21120.

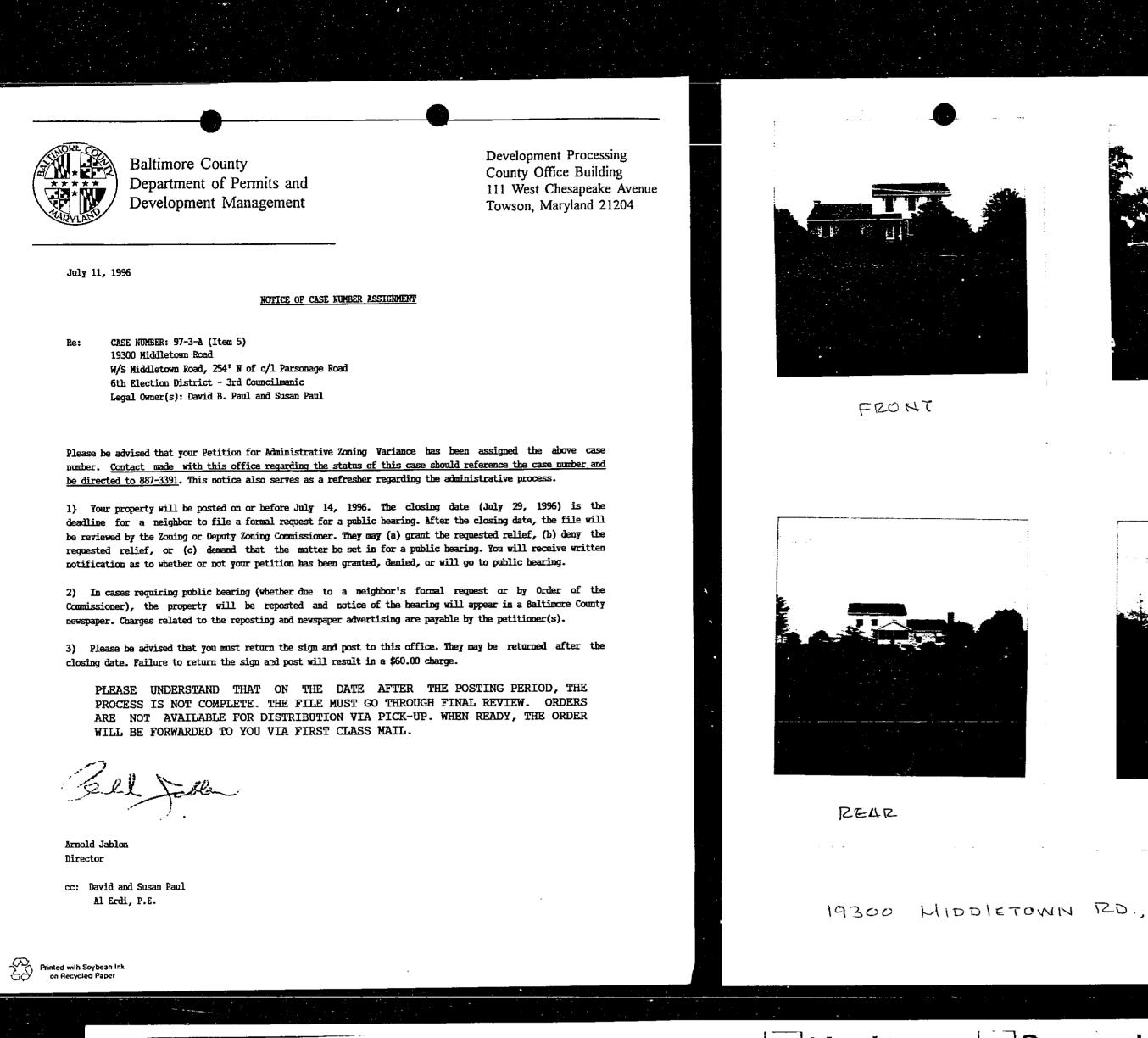
PHONE NUMBER: (410) 357 4457

Presed with Soybean link on Recycled Paper

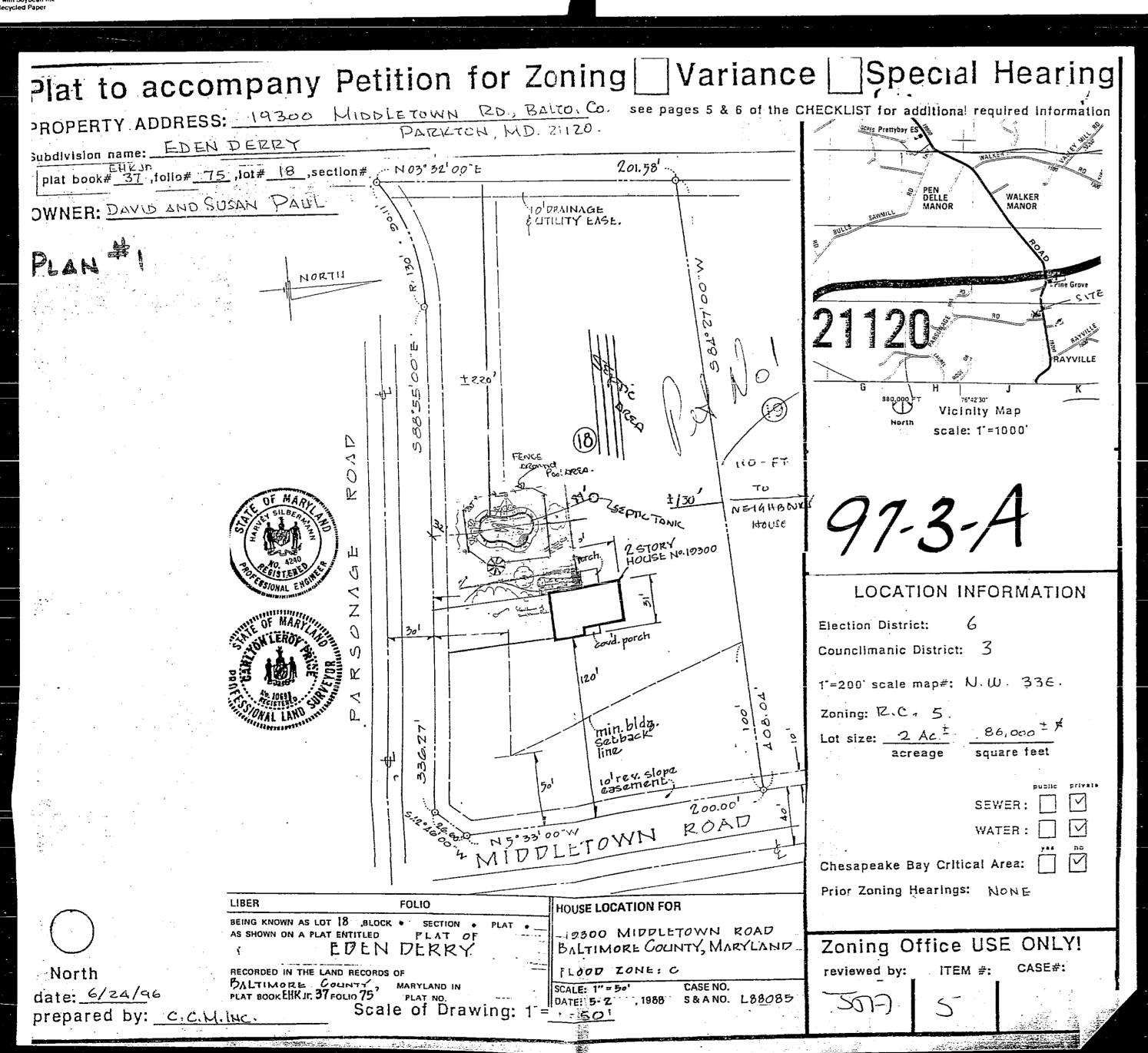
Affidavit in support of Administrative Variance The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 19300 MIDOLETOWN (18 That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative HEALTH DEPT. WILL NOT Allow THE POST TO BE BUILT IN THE SEPTLE DOFA That Affant(s) acknowledge(s) that if a protest is filed, Affant(s) will be required to pay a reposting and advertising fee and

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiants(s), and made oath in due form of law

that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and herief. AS WITNESS my hand and Notarial Seal.







LEFT SIDE

97-3-A

